

07-29-2008 01:57PM FROM-

T-228 P.002/003 F-060

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLOS LOPEZ-GARCIA,

Defendant.

Criminal Case No. 08-CR-0712-L

STIPULATIONS OF FACT

Date: August 26, 2008

Time: 9:00 a.m.

IT IS HEREBY AGREED between the Plaintiff, UNITED STATES OF AMERICA, through its counsel, Karen P. Hewitt, United States Attorney, and David D. Leshner, Assistant U.S. Attorney, and Defendant, CARLOS LOPEZ-GARCIA, with the advice and consent of Paul Turner, counsel for Defendant, that the following facts are true beyond a reasonable doubt:

1. Defendant is not a citizen of the United States.
2. Defendant is a citizen and national of Mexico.
3. Defendant has been previously deported or removed from the United States.
4. On or about April 15, 1993, Defendant was ordered deported or removed from the United States following a removal hearing before an Immigration Judge. Defendant waived his right to appeal the Judge's order.

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07-28-2008 01:57PM FROM-

T-228 P.003/003 F-080

5. On April 16, 1993, Defendant was physically deported or removed from the United States to Mexico pursuant to the aforementioned Order of an Immigration Judge.
6. Defendant also was physically deported or removed from the United States to Mexico on January 8, 1998.
7. Defendant neither sought nor received permission to reenter the United States following his removal on January 8, 1998.
8. On February 13, 2008, Defendant was found in the United States walking on Highway 86 near Westmorland, CA in the Southern District of California.

SO STIPULATED.


Dated: 8-11-08

  
CARLOS LOPEZ-GARCIA  
Defendant

Dated: 8-11-08

  
PAUL TURNER  
Counsel for Defendant

Dated: 8/12/08

  
DAVID D. LESHNER  
Assistant U.S. Attorney